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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,907	11/20/2001	Cathy A. Lue Chee Lip	FE0053955511	9214

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EXAMINER

LEZAK, ARRIENNE M

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 10/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/988,907

Applicant(s)

LUE CHEE LIP ET AL.

Examiner

Arrienne M. Lezak

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Examiner notes that no claims have been amended, added or canceled. Claims not explicitly addressed herein are found to be addressed within prior Office Action dated 30 March 2006 as reiterated herein below.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1, 12, 21 & 32 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Specifically, Examiner finds no support within the specification for limiting the submission of visitor request forms to "over the intranet only". Proper correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent US 6,408,337 B1 to Dietz.

5. Regarding Claims 1, 2, 4, 12, 14, 21, 22, 24, 32, 33 & 35, Dietz discloses a method, system, apparatus and computer-readable medium for processing a visitor request over an intranet, (per pending Claims 2, 14 & 22), for a visitor visiting an organization, the method comprising:

- using the Intranet within the organization for filling-out a visitor request form over the intranet, (Fig. 2 & Col. 2, lines 31-47);
- submitting the filled-out visitor request form over the intranet [only] within the organization, (Fig. 3; Col. 5, lines 63-67; & Col. 6, lines 1-63), (Examiner notes that the “work assignment” communication between the “engaging manager” and the “work assignment approver” is clearly and obviously limited to “within the organization”. Moreover, Examiner finds that as Dietz clearly teaches both Intranet and Internet communications, it would have been obvious to one of ordinary skill in the art at the time of invention by Applicant to limit those communications to a particular network, as needed, (i.e.: for security purposes – Col. 5, lines 44-46));

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- creating a visitor database on the visitor based upon the filled-out visitor request form, (Col. 2, lines 10-25; Col. 6, lines 25-41; & Col. 9, lines 7-17);
- transmitting a visitor approval request message via e-mail to at least one evaluator within the organization if approval is required, the visitor approval request message having a hyperlink to the filled-out visitor request form, (Col. 2, lines 31-67; Col. 3, lines 1-2; Col. 5, lines 32-67; Col. 6, lines 1-63; & Col. 10, lines 12-19), (Examiner notes that it would have been obvious to include a hyperlink to the specific visitor database entry within an email between an engaging manager and a work assignment approver for purposes of eliminating the need for the approver to search the entire visitor database, thus saving time and expediting the approval process);
- submitting an approval recommendation by the at least one evaluator via e-mail updating the visitor database, (per pending Claim 33), (Col. 2, lines 21-25; Col. 6, lines 25-67; Col. 7 lines, 1-3; & Col. 10, lines 12-50); and
- issuing a visitor badge based upon a validated filled-out visitor request form, (per pending Claims 4, 12, 24 & 35), (Col. 10, lines 51-67 & Col. 11, lines 1-9).

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Thus, Claims 1, 2, 4, 12, 14, 21, 22, 24, 32, 33 & 35 are found to be unpatentable over considerable consideration of the teachings of Dietz.

6. Regarding Claims 3, 13, 23 & 34, Dietz discloses a method, system, apparatus and computer-readable medium for processing a visitor request over an intranet further comprising updating the filled-out visitor database based upon the received approval recommendations, (Col. 2, lines 21-67), and validating the updated filled-out visitor request form, (Col. 9, lines 5-50). Thus, Claims 3, 13, 23 & 34 are found to be unpatentable over considerable consideration of the teachings of Dietz.

7. Regarding Claims 5, 7-9, 15, 17, 18, 25, 27-29, 36 & 38-40, Dietz discloses a method, system, apparatus and computer-readable medium for processing a visitor request over an intranet wherein the visitor badge comprises at least one of an escort required badge and a no escort required badge, (per pending Claims 5, 15, 25 & 36), further classifying the visitor as either a regular visitor or a foreign visitor, (per pending Claims 7, 27 & 38), wherein a regular visitor comprises at least one of a U.S. citizen, and a non-U.S. citizen with an alien registration card, (per pending Claims 8, 17, 28 & 39), and wherein a foreign visitor comprises at least one of a non-U.S. citizen without an alien registration card, a person representing a foreign company, and a person having dual citizenship, (per pending Claims 9, 18, 29 & 40), (Col. 10, lines 65-67 & Col. 11, lines 1-9).

8. Examiner finds that as Dietz discloses security clearance and requisite badges, it would have been obvious for said badges to distinguish visitors by national origin or citizenship and further enumerate the need for a visitor escort as necessary within the

organization. Examiner finds that Dietz teaches the incorporation of non-employee workers within an organization, which workers are obviously often hired to do a myriad of jobs, from grounds maintenance to database construction. Clearly, under most situations, an individual hired to do grounds maintenance would not require the same type of organizational access as would a database administrator. However, in the event a grounds maintenance individual had to access a highly secure area, (to clean, etc.), said individual may require an escort and possible clearance based on national origin. Thus, Claims 5, 7-9, 15, 17, 18, 25, 27-29, 36 & 38-40 are found to be unpatentable over considerable consideration of the teachings of Dietz.

9. Regarding Claims 6, 16, 26 & 37, Dietz discloses a method, system, apparatus and computer-readable medium for processing a visitor request over an intranet wherein a user filling-out and submitting the visitor request form is not hosting the visitor, (Col. 9, lines 5-67 & Col. 10, lines 1-35), then method further comprises:

- identifying a host of the visitor in the filled-out visitor request form, (Col. 9, lines 64-67 & Col. 10, lines 1-3), (Examiner notes that in creating the work assignment, the vendor would obviously include identification of engaging manager);
- transmitting a visitor certification request message via e-mail to the host, the visitor certification request message having a hyperlink to the filled-out visitor request form, (Col. 10, lines 12-25), (Examiner notes that work assignment approval is obviously done at host);
- and

- submitting a certification recommendation by the host via e-mail for updating the visitor database, (Col. 10, lines 33-64).

Thus, Claims 6, 16, 26 & 37 are found to be unpatentable over considerable consideration of the teachings of Dietz.

10. Regarding Claims 10, 19 & 30, Dietz discloses a method, system, apparatus and computer-readable medium for processing a visitor request over an intranet wherein the at least one evaluator comprises at least one of security administrator and an import/export administrator, (Col. 10, lines 65-67 & Col. 11, lines 1-9). Thus, Claims 10, 19 & 30 are found to be unpatentable over considerable consideration of the teachings of Dietz.

11. Regarding Claims 11, 20 & 31, Dietz discloses a method, system, apparatus and computer-readable medium for processing a visitor request over an intranet further comprising transmitting a status message via e-mail to a user filling-out and submitting the visitor request form, and if the user filling-out and submitting the visitor request form is not hosting the visitor, then transmitting another status message via e-mail to the user hosting the visitor, (Col. 9, lines 5-67 & Col. 10, lines 1-64), (Examiner notes that it would have been obvious to send a status message to both the host and non-host users as taught by Dietz. Particularly, Examiner notes that both the host organization and the vendor would need to know if approval had been granted to the non-employee for purposes of engagement and payment). Thus, Claims 11, 20 & 31 are found to be unpatentable over considerable consideration of the teachings of Dietz.

Response to Arguments

12. Applicant's arguments filed 31 July 2006, have been fully considered but they are not persuasive. Applicant's arguments do not comply with 37 CFR 1.111(c) because they do not clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made.

13. Regarding Applicant's argument that the prior art does not disclose intranet communication relating to visitor requests, Examiner respectfully disagrees noting that Dietz clearly teaches both intranet and Internet communication, as noted herein above. Specifically, Examiner notes the use of a LAN and database for internal communications, (approvals), (Fig. 2 & Col. 5, lines 4-62), and the Internet for external communications with outside vendors. In other words, Dietz clearly teaches both internal, (intranet), and external, (Internet), communications, as some visitor approvals obviously require numerous, (both internal and external), permissions.

14. Regarding Applicant's argument that Dietz does not teach the submission of visitor request forms over the intranet only, Examiner respectfully disagrees, as noted herein above. Specifically, (and regardless of the fact that the limitation of communication to the intranet only is objected to as not having support within the specification), Examiner finds that Dietz clearly teaches both Intranet and Internet communications, wherein it would have been obvious to one of ordinary skill in the art at the time of invention by Applicant to limit those communications to a particular network, as needed, (i.e.: for security purposes – Col. 5, lines 44-46).

15. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the initial request for visitor approval being provided internal to the organization) is not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). In other words, Applicant's claim language is silent as to the initial request communications being limited to the internal intranet. That noted, Examiner finds that Dietz would still read on the same in light of the "work assignment" teachings noted herein above. Examiner would also like to make clear that any non-employee of a company is clearly a visitor of the same, regardless the purpose of their presence.

16. In response to applicant's argument that obtaining proper visitor authorization has nothing to do with requesting a temporary employee/visitor, a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim.

17. Additionally, Examiner notes that the analysis for compliance of the claims and specification to meet 35 U.S.C. 112 (1) was proper in that Applicant amended the claims to include the word "only" for the specific purpose of claiming around the prior art, (please see Applicant's amendment dated 10/24/05), wherein Applicant specifically argues that the prior art teaches "the initial request for a non-employee worker is

provided external the organization to the vendor via the WAN", (Applicant's amendment dated 10/24/05 – p. 15), and wherein Applicant's claim language has specifically been amended to read, "submitting the filled-out visitor request form over the intranet only within the organization", (Applicant's amendment dated 10/24/05 – p. 15).

18. Upon noting Applicant's amendment, Examiner immediately reviewed Applicant's specification to find support for the amended claim language. In this case, a review of Applicant's specification did not teach "submitting the filled-out visitor request form over the intranet only within the organization". Applicant's specification at page 7, line 3 et seq., does indeed speak to use of the intranet for purposes of authorizing users; however, Applicant's specification is completely silent as to limiting the submission of visitor request forms to exclusively over the intranet only, (per Applicant's amended claim language). Thus, because Applicant's specification does not specifically enumerate that the submission of visitor request forms occurs over the intranet only, it is fair to assume that Applicant is not limited to the same, and may in fact submit visitor request forms over other networks including, but not limited to the Internet, (i.e.: submission via the internet, of a visitor request form from an authorized user's home, outside the intranet).

19. As Applicant's specification is not limited to intranet submissions only, Applicant's amendment therefore constitutes new matter, requiring rejection under 35 U.S.C. 112 (1) for failing to comply with the written description requirement, as the claim contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the

application was filed, had possession of the claimed invention. Thus, Examiner maintains that the rejection under 35 U.S.C. 112 (1) was proper.

20. Thus, as Examiner has completely addressed Applicant's amendment, and finding Applicant's arguments do not show how reconsideration avoids such references or objections, Examiner hereby maintains the original rejection of all claims in their entirety. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

21. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Conclusion

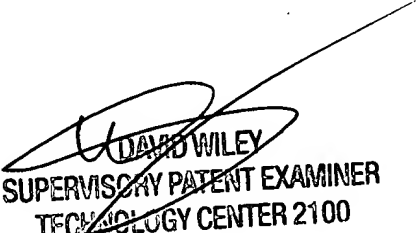
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arrienne M. Lezak whose telephone number is (571)-272-3916. The examiner can normally be reached on M-F 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571)-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Arrienne M. Lezak
Examiner
Art Unit 2143

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